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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/923,957	08/08/2001	Shell S. Simpson	10015146-1	2075

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EXAMINER

ZHOU, TING

ART UNIT

PAPER NUMBER

2173

DATE MAILED: 05/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/923,957	SIMPSON ET AL.	
	Examiner	Art Unit	
	Ting Zhou	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 21 March 2005.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-12 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
 6) Other: _____.

DETAILED ACTION

1. The Request for Continued Examination (RCE) filed on 21 March 2005 under 37 CFR 1.53(d) based on parent Application No. 09/923,957 is acceptable and a RCE has been established. An action on the RCE follows.

2. The amendments filed on 21 March 2005, submitted with the filing of the RCE have been received and entered. Claims 1-12 as amended are pending in the application.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Marshall et al. U.S. Publication 2002/0097259 and Hoyle U.S. Patent 6,771,290.

Referring to claims 1 and 7, Marshall et al. teach a system and program product for web based imaging comprising at least one graphic store for storing a plurality of different graphics (memories materials such as those obtained from external sources) (Marshall et al.: page 2, paragraph 0018 and page 3, paragraph 0030 and further shown in Figure 5); a group composition store that is networked and autonomous for storing a plurality of compositions, with each different composition referencing at least one graphic in the at least one graphic store that is

external to the group composition store (the memories product generation system, which can be a stand alone system that is connected to the memories materials of the fulfillment center via a data communications medium, can create products, such as stories using memories materials, such as memories from external sources) (Marshall et al.: page 2, paragraph 0018, pages 3-4, paragraphs 0028, 0031-0036 and Figure 1B) and including data to place the referenced graphic within the composition (a listing of the various memories products that can be generated is presented to the customer, with each memories product using at least one of the memories material such as memories materials from external sources) (Marshall et al.: page 5, paragraphs 0045 and 0047, and page 7, paragraph 0057; this is further shown in Figure 9); and a plurality of different user profiles that are accessed from at least one user profile store, each for a different imaging client, with each user profile including a reference to the group composition store (each customer is associated with a profile in the Database B-Users database, including the customer's name, email, password, and memories materials and products created by or available to the customer) (Marshall et al.: pages 3-4, paragraph 0033, page 4, paragraph 0039, page 5, paragraphs 0044-0045 and further shown in Figures 1B and 6). However, Marshall et al. fail to explicitly teach the profile store storing the plurality of different user profiles is networked and autonomous. Hoyle teaches user interface systems for maintaining, organizing and communicating information accessible to a computer network (Hoyle: column 1, lines 17-22) similar to that of Marshall et al. In addition, Hoyle further teaches a profile store storing a plurality of different user profiles that is networked and autonomous (storing user profiles referencing user selected links on a server computer connected to the network, independently and individually) (Hoyle: column 5, lines 43-61). It would have been obvious to one of ordinary skill in the art, having the

teachings of Marshall et al. and Hoyle before him at the time the invention was made, to modify the user profile store taught by Marshall et al. to include the networked and autonomous user profiles of Hoyle. One would have been motivated to make such a combination in order to provide users with the portability of being able to gain access to files and resources from any computer system having network access, or that multiple users can gain access to individual files stored on the same computer.

Referring to claims 2 and 8, Marshall et al. teach a default graphics store for at least one of the imaging clients, a default composition store for the at least one imaging client, including a composition therein with a reference to a graphic within a graphics store, and wherein the user profile for the at least one imaging client includes a reference to the default graphic store and the default composition store (the artwork making up the style of the memories material and memories product can be retrieved from a library of design elements offered by the system; therefore, the user does not have to create their own artwork, they can use the default artwork and memories product offered by the system) (page 4, paragraph 0036 and further shown in Figure 11).

Referring to claims 3 and 9, Marshall et al. teach one or more of the user profiles including a reference to a default composition within said group composition store (customers can use the default artwork and memories product offered by the system and therefore, the user profile associated with that customer would reference the default artwork and memories product) (page 4, paragraph 0036 and further shown in Figure 11).

Referring to claims 4 and 10, Marshall et al. teach a firewall protecting the plurality of imaging clients (page 2, paragraph 0023) and wherein at least one composition in the group

composition store references a graphic outside of the firewall (memories material referenced by the memories product generated can be from external sources or resident on the customer's terminal equipment) (page 2, paragraph 0018 and 0024).

Referring to claims 5 and 11, Marshall et al. teach the group composition store containing a method that prevent at least selected ones of the imaging clients from deleting or modifying at least one composition in the group composition store (if users do not have an authenticated ID and password, they are prevented from using the system and consequently modifying the material such as memories material and memories products contained in the system) (page 4, paragraph 0042 and continuing onto the top of page 5).

Referring to claims 6 and 12, Marshall et al. teach a web extension that will enumerate compositions stored in the group composition store as available to the imaging client (page 7, paragraph 0057 and page 8, paragraph 0070 and further shown in Figure 9).

Response to Arguments

4. Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new ground(s) of rejection.

5. The applicant argues that there is no disclosure of group composition stores that are networked and autonomous in Marshall et al. The examiner respectfully disagrees. As recited on page 3, paragraph 0028, the memories product generation system, which creates compositions, i.e. assembles the memories materials into memories products, can be part of a stand alone system that is connected to and communicates with the network. Therefore, the

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memories product generation system, i.e. the group composition store, is networked to the communications medium and is autonomous in that it runs on a stand-alone system.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ting Zhou whose telephone number is (571) 272-4058. The examiner can normally be reached on Monday - Friday 7:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached at (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-4058.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TZ



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